

schneider, marchant

From: Lohr, Amy
Sent: Thursday, October 07, 2010 4:24 PM
To: Lohr, Amy; Sara Howard-O'Brien
Cc: Brown, Ron; schneider, marchant
Subject: RE: Question regarding SPEX Timeline Validity

Sorry, I forgot to also say.... After speaking with Ron, we do not believe a condition is necessary for a 20 period of validity on the HS-7 application.

From: Lohr, Amy
Sent: Thursday, October 07, 2010 4:19 PM
To: 'Sara Howard-O'Brien'
Cc: Brown, Ron; schneider, marchant
Subject: RE: Question regarding SPEX Timeline Validity

Hi Sara,

Just left you a voicemail on LVE, but I think I forgot to give you my #. It's 703-737-8890.

Amy

From: Sara Howard-O'Brien [<mailto:Sara.HowardOBrien@lcps.org>]
Sent: Thursday, October 07, 2010 2:48 PM
To: Lohr, Amy
Subject: Fwd: Question regarding SPEX Timeline Validity

Amy, I had a typo in my first address try. I am resending this email. Thanks. Sara

>>> Sara Howard-O'Brien 10/7/2010 2:35 PM >>>

Amy, I left a voice mail and am following-up with additional information and seeking your guidance. As a part of the review process for HS-7/ES(SPEX 2010-0003 and ZMAP 2010-0001) the zoning referral raised an interesting question with regard to the time period of validity for the SPEX. Theresa worked with us to address the HS-7/future ES question and we essentially added a condition to provide a 20 year validity period for the SPEX to avoid any questions in the future. HS-7 will be constructed by Fall of 2012 but the time frame for the ES is unknown. It could be within 5 years but it could be longer. By adding the 20 year validity the timeframe, the ES can be built later without the 5 year/phasing/etc question.

We have a similar situation on Loudoun Valley Estates (ZCPA 2004-0010, CMPT 2004-0024, SPEX 2004-0024), copy teste and proffers attached for easy reference. The LVE site is approved for an ES and a HS. The ES has been constructed (Rosa Lee Carter, constructed in 2007). The HS will be constructed but the time frame is not yet known. The ZCPA, CMPT and SPEX were approved April 4, 2006. On April 4, 2011, it will be 5 years.

I had been under the impression that the construction of the ES would essentially cause the SPEX to be valid beyond the initial 5 year period. Theresa has raised the concern that because the SPEX did not have phase lines there was a risk that someone in the future could take the position that the second school is a separate and distinct use and if we didn't build within the 5 years, it might be determined we needed a new SPEX. The SPEX for LVE does not contain phase lines.

So here is my question: is the LVE SPEX valid beyond the 5 years since the ES was constructed and is occupied or do I need to file for an extension? I'm going to need something official to document the validity. As you might imagine, I must make certain that the SPEX remains valid. this school will fill a critical need and the legislative approvals need to be in place when the year is determined.

I'm thinking this question has probably been raised before in the context of all the office SPEX's or other longer term build out scenario uses. Your help and guidance is greatly appreciated. If I am at the wrong doorstep please point me in the right direction. Thanks for your help. Let me know if you need any additional information. Sara

Sara Howard-O'Brien
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E-mail: **Note New as of 8/10** Sara.howardobrien@lcps.org

schneider, marchant

From: schneider, marchant
Sent: Wednesday, September 15, 2010 10:46 PM
To: Brown, Ron
Cc: schneider, marchant
Subject: FW: Zoning/Co. Attorney comments on proffer statement & conditions: HS-7/ES Goshen Rd Assemblage
Attachments: Sara Howard-O'Brien.vcf

Hi, Ron.

Please see the below from Sara Howard-O'Brien regarding the proffer statement.

I'm out again tomorrow and Friday. Is it possible to have you discuss with her directly? I can ask her to call you.

Thanks, Ron!

Marchant

From: Sara Howard-O'Brien [<mailto:Sara.HowardOBrien@lcps.org>]
Sent: Wednesday, September 15, 2010 4:43 PM
To: schneider, marchant
Subject: Zoning/Co. Attorney comments on proffer statement & conditions: HS-7/ES Goshen Rd Assemblage

Marchant:

To follow up on my phone call the only objection we have to the staff recommendations on the proffer statement is related to Proffer 2, School, last phrase *"provided that the maximum allowable floor area ratio of .05 shall not be exceeded"*. The TR Districts have two sets of development standards depending on when the lot was created. Section 2-1703 (B) provides that a lot existing on January 7, 2003 is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1703 (B).

When the BLAD is recorded for this property (and it is required to be recorded prior to site plan approval) the applicable development standards will be Section 5-701 (lot existing after 1/7/03) which requires 50% open space on the lot as a part of development.

The .05 FAR requirement would only permit 211,614 SF of development on the proposed 97.16 acre lot.

Development of school sites in the TR Districts require us to obtain lots that are created AFTER 1/7/03 in order to develop in a reasonable and relatively cost effective manner.

The SPEX, ZMAP and Site Plan have all been structured based on a new lot and utilization of Section 5-701 (the open space standard). This is how MS-5 was also handled.

The other changes are fine provided it is understood that the warrant studies for the all-way stops are to be submitted but are not required to be approved prior to site plan approval. It can take 2-3 months for review and action on a warrant study. We can get the studies submitted but we cannot wait for action on same before action on our site plan. We will have approximately two years between submission of the studies and occupancy to get the roads built and the all way stop signs installed. We would prefer to have the submission and action both tied to "prior to occupancy" but

we can accept a requirement that the studies be submitted prior to site plan approval. It takes approximately one month to prepare the warrant studies.

Thank you for the opportunity to comment. Sara

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schneider, marchant

From: Armstrong, Van
Sent: Monday, September 13, 2010 12:33 PM
To: Sara Howard-O'Brien
Cc: schneider, marchant; Merrithew, John E..
Subject: RE: RE: Update for September 15, 2010 PCPH - ZMAP 2010-0001, SPEX 2010-0003: LCPS HS-7 and Future ES

At this time, it would be preferred that any further correspondence not occur by email (written documents) as this has the potential to evolve the dialog outside of the public hearing. Your responses can be provided or stated at the hearing, and you are welcome to separately contact Commissioner Robinson to discuss further. Continued correspondence will make it more difficult for the public to follow the sequence of discussion and topics when outside of the hearing process.

Let me know if you have questions with this. Thanks, Van

Van Armstrong, Program Manager
Land Use Review
Loudoun County Planning Department
703-777-0653

From: Sara Howard-O'Brien [mailto:Sara.HowardOBrien@lcps.org]
Sent: Monday, September 13, 2010 10:17 AM
To: Armstrong, Van
Cc: schneider, marchant
Subject: Fwd: RE: Update for September 15, 2010 PCPH - ZMAP 2010-0001, SPEX 2010-0003: LCPS HS-7 and Future ES

Van, good morning. I have spoken with Marchant regarding the additional questions from Ms. Robinson. I am currently preparing a response and am writing to see if I may send it to you and ask that you distribute to Commissioner Robinson and the rest of the Commission ? I'm thinking that is probably the way it would be done, similar to the questions from the briefing. I will have the response shortly. Many thanks. Sara

Sara Howard-O'Brien
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>>> "Robinson, Gigi" <Gigi.Robinson@loudoun.gov> 9/12/2010 2:09 PM >>>
Van,

Thank you very much for this information. Kudos to Sara for her very complete explanations and map!! That was great information.

I have a couple of concerns that you may be able to answer either before or at the hearing.

Goshen road comes down past the new church property, comes down past the future tanks, and continues through to Braddock. If I read the information and the map correctly that same thru traffic should happen...ultimately. However, I am concerned about what happens in the interim. Goshen may be closed during construction. I presume that Road A will be built to connect to a new road built across the empty lots on Stone Ridge or that the two lanes of Northstar will be built so that Road A connects with Northstar and then Tall Cedars and then an alternate route can take one down to Braddock. Or all of this may be wrong. Could you explain to me how one can get from Route 50 to Braddock during construction of the high school and before CD Smith builds their section of Northstar?

Northstar is ultimately to have multi-use trails on both sides of the six-lane controlled access roadway. I am concerned that during initial design there is enough room for all the intended uses for that road at its ultimate build out. I am also concerned that the multi-use trails may be of little use to anyone if people do not feel safe. In particular, we need to make sure children riding their trikes are safe from six lanes of traffic, which because of controlled access, may have a speed limit that is quicker than those roads in the surround subdivisions. How do we ensure there be enough room to protect from environmental concerns on the school property and to alleviate all safety concerns?

Another concern on Northstar, at ultimate build out, is how people will cross from Stone Ridge, CD Smith, etc. Do we use 4-way stops on six-lane controlled access roads? If not, should there be an understanding at project inception of crossing methods so that a future PC or BOS will not have to deal with the problem?

The practice of indexing is to make sure that today's dollars will correspond to tomorrow's dollars. For a long time the economy has been in a controlled inflation. With the economy not looking as if it will pick up very soon, I am concerned that indexing to money (a price index) may not guard against the sudden increase in oil caused either by conflict or market. Thus if oil has a significant jump, the CPI will be slow to rise to meet it. However, construction that depends on oil derivative products will realize an almost instant and identical price jump. How does Finance plan to keep the County whole in those circumstances?

Again, thanks for the very fast and complete response to the briefing questions.

Gigi Robinson
Planning Commission
Leesburg District

From: Armstrong, Van
Sent: Friday, September 10, 2010 3:39 PM
To: DEPT-PLANEPT-PLANNING_COMMISSION
Cc: Merrithew, John E.; schneider, marchant; Bryan, Nancy
Subject: Update for September 15, 2010 PCPH - ZMAP 2010-0001, SPEX 2010-0003: LCPS HS-7 and Future ES

Commissioners – Regarding questions and comments received from the Planning Commission Briefing on September 8th, the School Board Staff (as applicant) have submitted written responses to clarify the application information. Please find attached these responses that have not had the benefit of County Staff review. I note that Marchant Schneider is on leave at this time and will return on September 15 to review this material in preparation for the public hearing. Thank you and have a great weekend.

Van Armstrong, Program Manager
Land Use Review
Loudoun County Planning Department
703-777-0653

From: Sara Howard-O'Brien [mailto:Sara.HowardOBrien@lcps.org]
Sent: Friday, September 10, 2010 3:31 PM
To: Armstrong, Van
Cc: schneider, marchant
Subject: ZMAP 2010-0001 and SPEX 2010-0003, LCPS HS-7 and future ES

Please find attached the responses to the Planning Commission Briefing Questions on 9/8/10 along with a requested graphic. We ask that this information be distributed to the Commission in advance of the hearing on 9/15/10. Thank you for your assistance. Please let me know if you have any questions or need additional information. Sara

Sara Howard-O'Brien
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schneider, marchant

From: Armstrong, Van
Sent: Friday, September 10, 2010 3:39 PM
To: DEPT-PLANDept-PLANNING_COMMISSION
Cc: Merrithew, John E.; schneider, marchant; Bryan, Nancy
Subject: Update for September 15, 2010 PCPH - ZMAP 2010-0001, SPEX 2010-0003: LCPS HS-7 and Future ES
Attachments: PCBRIEFINGQssept82010.doc; SurroundDevelopmentMappcbriefing_9-10-10.pdf; Sara Howard-O'Brien.vcf

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Van Armstrong, Program Manager

Land Use Review

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Sent: Friday, September 10, 2010 3:31 PM
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MEMORANDUM

To: Loudoun County Planning Commission
From: Sara Howard-O'Brien, Land Management Supervisor
Date: September 10, 2010
Re: **ZMAP 2010-0001, SPEX 2010-0003, HS-7 Dulles South High School and Future Elementary School, Goshen Road Assemblage: Responses to Planning Commission Briefing Questions**

At the September 8, 2010, Planning Commission Briefing for the proposed Dulles South High School (HS-7) and Future Elementary School, the following questions were raised.

Question: Proposed Condition #5 ties the provision of public utilities to the occupancy permit for the high school use. Other conditions tie requirements to the first site plan; why is this condition different?

Response: Staff advised that while the high school is planned to be the first use on the property, to be consistent with condition format in both this special exception and others, the language should tie the public utilities to the first site plan on the property. The language will be revised accordingly.

Question: Condition 7.d. requires athletic field lighting to be turned off within one hour following the end of evening activities, or by 11 p.m., whichever occurs first. Is this time requirement consistent with other athletic field lighting requirements in the County?

Response: The Loudoun County Public Schools (LCPS) provides lighting only at the high school stadium, baseball and softball fields. For those high schools in the County that have required a special exception or separate zoning amendment the athletic field lighting requirements are similar to the proposed condition. These include Woodgrove High School, Loudoun Valley Estates (future HS-6) and this application (HS-7).

As a practical matter, the 11 p.m. restriction works well with the athletic schedules.

In terms of other athletic fields in the County, a review of various Special Exception Applications over the past five years found similar lighting conditions contained in SPEX 2004-0009, ULYFY, SPEX 2005-0049, Loudoun Country Day School (only temporary field lighting once a month), SPEX 2007-0040, Lovettsville Community Park, SPEX 2007-0056, 0059, & 0060, Play to Win Sports (condition to become void if adjacent property ceases to be residential), and SPEX 2009-0036, Loudoun Youth Soccer Association Lighting. SPEX 2003-0022, Phillip Bolen Park prohibits lighted fields adjacent to residential uses along Cochran Mill Road but allows lighting adjacent to non-

To: Planning Commission
Re: ZMAP 2010-0001 and ZMAP 2010-0003
Date: September 10, 2010

residential uses without a time limitation specified. SPEX2009-0004, Jenkins Memorial Park permits lighting in the future without a time limitation specified. Please note that is not an exhaustive inventory of lighted athletic fields in the County but does include the easily identifiable special exceptions over the past 5 years.

Question: Please provide a map depicting the road access/improvements for other uses in the area including the Corpus Christi Parish and the Boyd School.

Response: Utilizing the HS-7/ES Surrounding Development Map, the additional applications have been added. Map attached.

Question: Please provide a brief explanation of the abandonment process.

Response: There are two statutes for abandoning a public road. Section 33.1-151 of the State Code allows for abandonment if the Board of Supervisors finds that either no public necessity exists for the continuance of the road or the safety and welfare of the public would be served best by abandoning the road. Section 33.1-155 allows for the abandonment of a road when a new road has been constructed and accepted into the secondary system that serves the same citizens as the old road. The request for abandonment is submitted to the County with consideration and action by the Board of Supervisors. The Office of Transportation (OTS) refers the request to referral agencies for review and comment and then presents the proposal to the Board for action. Under Section 33.1-151 a public hearing is required. Under Section 33.1-155 no public hearing is required. The Board adopts a resolution for abandonment under both statutes. The Virginia Department of Transportation (VDOT) is a key agency in the review of abandonments.

LCPS has filed an abandonment request for a portion of Goshen Road. Both OTS and VDOT have reviewed the application. LCPS is working with these agencies in the abandonment process and believes Goshen Road may be abandoned when Road A and Relocated Route 659 have been constructed and accepted into the state system. The segment of Goshen Road proposed for abandonment may be closed to the public during construction. Further, Goshen Road may be closed when the alternate road is constructed and open for public use (but not necessarily accepted into the state system). In other words, when Road A and Relocated Route 659 are constructed and the high school is opened in the Fall of 2012, Goshen Road would be closed. LCPS will maintain emergency access on Goshen Road during construction.

Question: On Sheet 5 of 7 there is a sidewalk shown on the west side of Relocated Route 659. Who is responsible for the construction and maintenance of this sidewalk?

Response: Upon checking Sheet 5, LCPS found that the graphic lines do resemble a sidewalk and should be corrected. The lines shown are the right of way line (the most westerly line that contains small dashes) and the edge of pavement line. This is

To: Planning Commission
Re: ZMAP 2010-0001 and ZMAP 2010-0003
Date: September 10, 2010

confusing and we apologize. The edge of pavement line will be removed and the right-of-way line labeled prior to the Board of Supervisors hearing. The 2010 Countywide Transportation Plan calls for Relocated Route 659 between Route 50 and Braddock Road to be a controlled access, six-lane divided minor arterial within a 120 foot right of way with multi-use trails on each side of the roadway. Prior to the opening of the high school in the Fall of 2010 two lanes of Relocated Route 659 between Tall Cedars Parkway and Braddock Road will be constructed, including a 10 foot wide trail along the east side. The trail is outside of the VDOT right-of-way, by design, and will be maintained by the respective property owners/HOAs. The ultimate right-of-way (120 feet) is being dedicated as a part of the initial two lane construction. Four way controlled stops are planned at Roads A and B with crosswalks connecting to an integrated pedestrian network, on and off-site. Please reference Sheet 5 of the SPEX Plat. Improvements are being constructed consistent with the ultimate planned improvement. Presently there are no proffers or road projects for the second two lanes of Relocated 659 between the northern boundary of Braddock Crossing and Tall Cedars Parkway or for the four lane section between Tall Cedars Parkway and Route 50. The multi-use trail on the west side of Relocated Route 659 would be constructed at such time as funding is identified and construction is undertaken for the widening of this road to four lanes.

Question: Condition 6.g.iii. requires a cash contribution for the future construction of a trail connecting the school and park. Rather than a CPI index there should be a three bid process at the time of construction. The CPI may not keep up with construction costs.

Response: The proposed condition provides for a cash contribution for the future construction of a trail when the park has been dedicated to the County and developed for park use. The amount is based on current construction costs accepted by the County and is tied to CPI consistent with County practice. The funds will be paid prior to occupancy of the high school, within 2 years, and will be held by the County, usually in an interest bearing account, until needed. Because of the school funding structure, it would be very difficult for LCPS to wait until the park is developed to secure bids and then either construct the trail or provide funding for construction. Once schools have been constructed the accounts are closed and any additional funds are returned to the County. It is not known when this park will be developed. Because of these factors, we respectfully ask that the proposed condition be accepted.

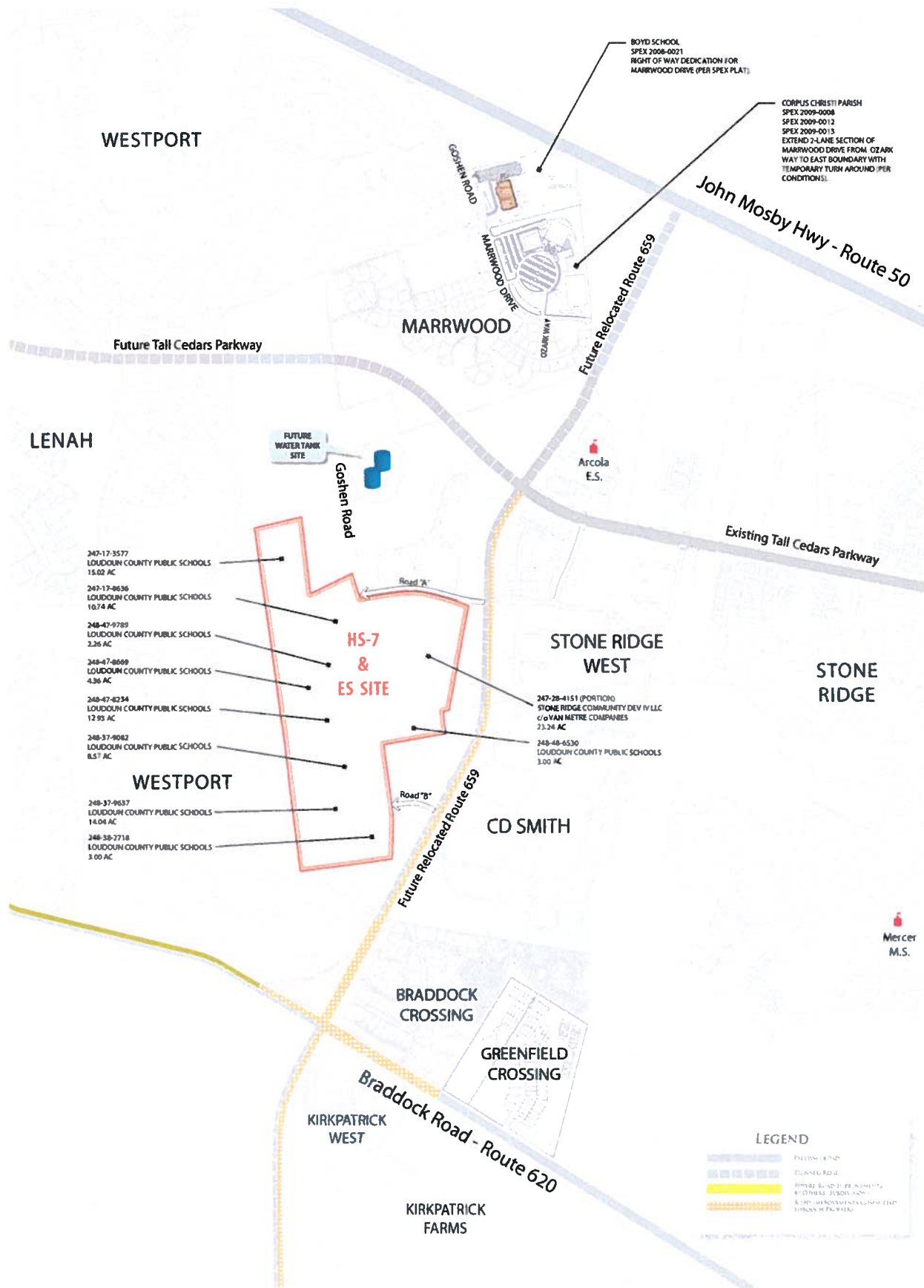
Question: Will the schools be able to comply with Loudoun Water's Statement of Policy, Rates, Rules and Regulations; and Design Standards as required for public water and sewer service (7/14/10 referral)?

Response: Yes. All developments are required to comply with Loudoun Water's regulations for development. Compliance is reviewed as a part of site plan. Prior to filing the site plan LCPS submitted a sewer alignment study as well as a water model for preliminary review by Loudoun Water. The site plan incorporated the previously reviewed designs and is currently under review. LCPS anticipates approval from

To: Planning Commission
Re: ZMAP 2010-0001 and ZMAP 2010-0003
Date: September 10, 2010

Loudoun Water and the provision of public sewer and water to serve the proposed school use.

Thank you for your time and attention. LCPS Staff will be available at the hearing to respond to any additional questions the Commission may have.



schneider, marchant

From: schneider, marchant
Sent: Tuesday, September 07, 2010 4:14 PM
To: Brown, Ron
Cc: schneider, marchant
Subject: DUE: 09-15-10 / SPEX CONDITIONS REVIEW / HS-7 and elementary school
Attachments: CONDITIONS-DRAFT 09-07-10, ZONING-STAFF REVISIONS.docx; ZMAP 2010-0001 DRAFT PROFFER STATEMENT.docx

Hi, Ron.

Sorry for the delay.

I've attached the draft conditions of approval and proffer statement for HS-7 and future elementary school site (ZMAP 10-01, SPEX 10-03).

These incorporate Zoning Administration revisions (Theresa Stein and Larr Kelly) along with some minor text edits. Theresa has placed several comments in the margin for your review.

I'll forward hard copies of the materials along with a copy of the plat.

Project Executive Summary below.

Thanks for your help!

Marchant

EXECUTIVE SUMMARY

The Loudoun County School Board (LCSB) has submitted Special Exception (SPEX) and Zoning Map Amendment (ZMAP) applications to permit the construction of a high school (HS-7) and a future elementary school and associated recreational facilities in the TR-1UBF (Transitional Residential-1) zoning district.

The subject property is approximately 97.16 acres in size and is located along the east and west sides of Goshen Road, approximately 1 mile south of Route 50, and approximately 0.5 mile north of Braddock Road (*see Vicinity Map, Page 3*). In order to accommodate the two school facilities, LCSB proposes to rezone approximately 3 acres from the PD-GI (Planned Development-General Industry) zoning district to the TR-1UBF (Transitional Residential-1). The 3 acres were previously rezoned to PD-GI in 1991 pursuant to ZMAP-1989-0008, Alliance Resource Industries.

The Applicant has submitted a separate request to abandon a portion of Goshen Road that bisects the property. Access to the site is to be provided via two new public roads extending west from a two-lane half section of Northstar Boulevard / Route 659 Relocated (to be constructed from Tall Cedars Parkway south to Braddock Road). Traffic on Goshen Road north of the subject property will be redirected to Route 659 Relocated.

The area is governed by the policies of the Revised General Plan (Transition Policy Area, Upper Broad Run and Upper Foley subareas) which designate this area for residential development at a base density of 1 dwelling unit per acre and non-residential uses which provide a visual and spatial transition between suburban development in eastern Loudoun County and rural development to the west. The application is subject to the Revised 1993 Zoning Ordinance.

The proposed high school is identified as HS-7 in the FY 2011-2016 LCPS School Board Adopted Capital Improvement Program (CIP) (Freedom High School Cluster). HS-7 will be constructed as a two-story, 292,000 square foot facility with a

1,800 student capacity. LCSB anticipates opening HS-7 for the 2012-2013 school year. The CIP also identifies the need for three elementary schools to serve Dulles South. The proposed elementary school site will be identified as one of the needed facilities during future review of the CIP. The future elementary school will be a two-story, 105,000 square foot facility with an 875 student capacity. The attendance area for the elementary school will be determined approximately 12-18 months prior to the opening of the school.

A Commission Permit for the property (CMPT 2009-0013) was approved by the Planning Commission on December 17, 2009. The Commission determined that the general location, character, and extent of the proposed High School and Elementary School use and associated recreation facilities were in substantial accord with the existing land use policies of the Revised General Plan. The Board of Supervisors ratified the Commission Permit on January 5, 2010.

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Senior Planner, Land Use Review
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COMMENTS GENERATED BY ZONING ADMINISTRATION 9/1/10
EDITS BY PROJECT MANAGER 09/07/10

SPEX 2010-0003
HS -7 DULLES SOUTH HIGH SCHOOL AND ELEMENTARY SCHOOL
GOSHEN ROAD ASSEMBLAGE
CONDITIONS OF APPROVAL
(~~August 24, 2010~~September 7, 2010)

(DRAFT)

1. **Substantial Conformance.** The High School and Elementary School use and associated recreational facilities shall be developed in substantial conformance with Sheet 1, Sheet ~~3~~, Sheet 5, and Sheet 7 (together comprising and herein referred to as the "Special Exception Plat") of the plan set entitled HS-7 Dulles South High School and Elementary School, Goshen Road Assemblage, Special Exception Plat (SPEX 2010-0003), Zoning Map Amendment (ZMAP 2010-0001), prepared by Bowman Consulting Group, Ltd., dated March 8, 2010, revised through ~~August 18~~July 22, 2010 (the "Plans") and the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"). Approval of this application for a 23.24 acre portion of Tax Map /100//54/ (PIN# 247-28-4151) and all of Tax Map /100//2//4/ (PIN# 247-17-3577), Tax Map /100//6//2/ (PIN# 247-17-8636), Tax Map /100//6//1/ (PIN# 248-47-9789), Tax Map /100//31B/ (PIN# 248-47-8669), Tax Map /100//2//3/ (PIN# 248-47-8234), Tax Map /100//2//2/ (PIN# 248-37-9082), Tax Map /100//2//1/ (PIN# 248-37-9637), Tax Map /100//33/ (PIN# 248-38-2718), and Tax Map /100//36A/ (PIN# 248-48-6530), (the "Property"), shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Uses Permitted.** This Special Exception grants approval for a High School use, Elementary School use, accessory uses and associated recreational facilities, as defined by the Revised 1993 Loudoun County Zoning Ordinance, in the TR-1UBF (Transitional Residential -1) Zoning District. The cumulative total square footage of the High School and Elementary School buildings, exclusive of accessory uses and recreational facilities, shall not exceed 397,000 square feet.
3. **Period of Validity.** The special exception permit for High School use and Elementary School use shall be valid for a period of twenty (20) years from the date on which the Special Exception application is approved. [Alternative language suggested by Larr: The Terms of Section 6-1313 of the Zoning Ordinance, period of validity shall apply, except that the period of validity shall be approved for a period of 20 years]

Comment [tms1]: In order to avoid a ZCPA to make SPEX revisions, separate the SPEX plat from the ZMAP CDP. The ZMAP plat could have basic info and the SPEX more specifics.

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4. **Lot Consolidation / Boundary Line Adjustment.** A Boundary Line Adjustment Lot Consolidation to combine the subject parcels into a single parcel shall be required prior to or in conjunction with the first site plan approval for the Property.
5. **Public Utilities.** Public utilities shall be utilized and provided to the Property prior to, or in conjunction with, the issuance of the first occupancy permit for the High School use.
6. **Transportation Improvements.** The following transportation improvements as depicted on Sheet 5 (Pedestrian Circulation Map) and Sheet 7 (Road Improvements Map) of the Special Exception Plat shall be open to traffic prior to, or in conjunction with the issuance first occupancy permit for the Property, unless otherwise noted.
 - a. **Northstar Boulevard (Route 659 Relocated).** A two-lane section of the planned urban six-lane, median divided (U6M) minor arterial roadway known as Route 659 Relocated from Tall Cedars Parkway south to Braddock Road (Route 620/ Route 705) including any additional construction necessary to tie ~~the existing roads existing~~ Tall Cedars Parkway and Braddock Road into the Northstar Boulevard (Route 659 Relocated) improvement. Such construction shall include necessary turn lanes required to meet VDOT and County standards.
 - b. **Braddock Road (Route 620/Route 705).** A two-lane section of the planned urban four-lane, median divided (U4M) major collector roadway known as Braddock Road from the end of existing pavement in the vicinity of Great Berkhamstead Drive west to Northstar Boulevard, (approximately 1000 feet), plus transitioning into the existing unpaved two-lane Braddock Road west of Northstar Boulevard (Route 659 Relocated).
 - c. **Braddock Road / Northstar Boulevard (Route 659 Relocated) Intersection:**
 - i. Separate westbound right turn lane on Braddock Road (to northbound Northstar Boulevard);
 - ii. Separate southbound left turn lane on Northstar Boulevard (to eastbound Braddock Road);
 - d. **Road A:**
 - i. A two-lane undivided roadway between Goshen Road (Route 616) and planned Northstar Boulevard (Route 659 Relocated). Such construction shall include necessary turn lanes required to meet VDOT and County standards as shown on the Special Exception Plat.

- ii. Warrant studies as required by VDOT for an all-way stop control (i.e. stop signs) at the Northstar Boulevard (Route 659 Relocated) / Road A intersection prior to or in conjunction with first site plan approval. If warranted, the all-way stop will be open to traffic prior to or in conjunction with the issuance first occupancy permit for the Property

e. Road B:

- i. A two-lane undivided roadway between the Property and planned Northstar Boulevard. Such construction shall include necessary turn lanes required to meet VDOT and County standards as shown on the Special Exception Plat.
- ii. Warrant studies as required by VDOT for an all-way stop control (i.e. stop signs) at the Northstar Boulevard (Route 659 Relocated) / Road B intersection prior to or in conjunction with first site plan approval. If warranted, the all-way stop will be open to traffic prior to or in conjunction with the issuance first occupancy permit for the Property.

f. Trails / Sidewalks.

- i. Northstar Boulevard (Route 659 Relocated). A ten foot (10') wide pedestrian trail along the east side of the two-lane section of Northstar Boulevard described in Condition 6(a) above between Tall Cedars Parkway and Braddock Road, as shown on Sheet 5 plan sheets of the Special Exception Plat.
- ii. Road A. A ten foot (10') wide multi-use trail along the south side and a minimum five foot (5') wide sidewalk on the north side of the two-lane section Road A described in Condition 6(d) above, and as shown on Sheet 5 of the Special Exception Plat.
- iii. Road B. A ten foot (10') wide multi-use trail along the north side and a minimum five foot (5') wide sidewalk on the south side of the two-lane section Road B described in Condition 6(e) above, and as shown on Sheet 5 of the Special Exception Plat.

g. Crosswalks/Internal Sidewalks and Trails:

- i. Subject to VDOT approval, pedestrian crossings as depicted on Sheet 5 of the Special Exception Plat and shown on all site plans.

- ii. On-site pedestrian circulation network in conjunction with the construction each school and ~~as separated by north and south of~~ the Phase Line as depicted on Sheet 5 of the Special Exception Plat.
 - iii. In lieu of construction of a ten foot (10') multi-use trail south of the high school parking lot within the area shown on Sheet 5 of the Special Exception Plat as "C.D. Smith (Proffered Public Park)", a cash contribution shall be made to the Loudoun County Board of Supervisors (the "County"), or to such person as directed by the County, in the amount of \$9,778.00 to be used for the future construction of the trail when the public park is developed or for other regional pedestrian improvements in the vicinity of the Property. The amount of such payment shall escalate annually from the base year of 2010 and shall be adjusted effective each January 1st thereafter, based on the Consumer Price Index (CPI-U) for all urban consumers, 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.
- h. Public Park Parking Lot. A cash contribution in the amount of \$40,319.00 shall be made to the County, or to such person as directed by the County, to be used for the future construction of public parking areas north and south of Road B within the area shown on Sheet 5 of the Special Exception Plat as "C.D. Smith (Proffered Public Park)" (reference ZMAP 2002-0003, C.D. Smith, proffer V.B.3.) when a public park is developed or for other regional public park improvements in the vicinity of the Property. The amount of such payment shall escalate annually from the base year of 2010 and shall change effective each January 1st thereafter, based on the Consumer Price Index (CPI-U).
- ~~h. Public Park Parking Lot. A cash contribution in the amount of \$29,126.00 shall be made to the County, or to such person as directed by the County, for the future construction of a parking area to be located north of Road B within the area shown on Sheet 5 of the Special Exception Plat as "C.D. Smith (Proffered Public Park)" (reference ZMAP 2002-0003, C.D. Smith, proffer V.B.3.). The amount of such payment shall escalate annually from the base year of 2010 and shall change effective each January 1st thereafter, based on the Consumer Price Index (CPI-U).~~
- i. Off-site Right-of-Way / Easements. If off-site right-of-way and/or an easement needed for any of the transportation improvements specified in these conditions is not available, the Applicant shall make a good faith effort to purchase the same at fair market value. Where, after good faith efforts, right-of-way and/or an easement cannot be obtained either voluntarily or through purchase by the Applicant, then the Applicant shall request the County to acquire such right-of-way and/or easement by appropriate eminent domain proceedings, with all reasonable and customary costs associated with such eminent domain proceedings to be borne by the Applicant, including, but

Comment [tms2]: When will the payment be made?

Comment [tms3]: When will the payment be made?

not limited to, the land acquisition costs and appraisal fees. The initiation and prosecution of such eminent domain proceedings shall be solely within the discretion of the County.

- j. Bus Use of Unpaved Sections of Goshen Road. The Loudoun County Public Schools Bus Transportation Division will restrict school bus usage of the unpaved portion of Goshen Road north of the Property to the pick-up and drop-off of students residing on that segment of road unless traffic conditions otherwise warrant use of the unpaved section. The school district shall provide information to parents, students who drive to school, and school staff regarding travel routes to the schools which will avoid the unpaved portions of Goshen Road.
7. Lighting. Site lighting shall conform to Section 5-1500 of the Revised 1993 Loudoun County Zoning Ordinance and Sections 7.110 and 7.120 of the Facilities Standards Manual (FSM). The following standards shall also apply:
- a. Light Fixtures. Exterior building lighting and parking lot lighting shall be full cutoff and fully shielded and shall direct light downwards and into the interior of the Property and away from surrounding public roads and properties.
 - b. Exterior Building Lighting. Exterior building lighting attached to the High School, Elementary School and accessory use buildings, including security lighting, shall not exceed a maximum average illumination of five (5) foot-candles at grade level unless otherwise required by law, ordinance, or regulation.
 - c. Parking Lot Lighting. Parking lot lighting shall not exceed a maximum average illumination of two (2) foot-candles at grade level. Parking Lot Lighting shall be turned off within one hour following the end of evening activities, or by 11 p.m., whichever occurs first.

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- d. Athletic Field Lighting. Installation of Athletic Field Lighting shall be in accordance with Section 5-1504 of the Revised 1993 Loudoun County Zoning Ordinance and shall be limited to the High School stadium and High School baseball and softball fields. Such lighting shall be directed inward and downward toward the fields and shall incorporate a reflector technology system that directs light onto the field and minimizes glare and spillage onto adjacent residential uses. Athletic Field Lighting shall be turned off within one hour following the end of evening activities, or by 11 p.m., whichever occurs first.
- e. Height of Light Fixtures. The mounting height of any exterior light fixture shall not exceed 20 feet, except for light poles for athletic fields, which shall not exceed 80 feet in height. Height shall be measured from the ground to the bottom of the light fixture.
8. Noise. Installation and use of an outdoor public address system shall be limited to the High School stadium and the High School baseball and softball fields. Noise emanating from the public address system shall not exceed 60 dBA at the western and southern Property boundary. Use of the public address system shall be prohibited after 11 p.m. and before 8 a.m.
9. Architectural Design Elements. The High School and Elementary School building design shall avoid the use of continuous plane building surfaces and wherever practicable break up large building segments into smaller segments through the use of fenestration and setbacks. The Applicant shall incorporate the following design elements:
 - a. Classroom Areas. Classroom areas shall contain double hung and sliding windows to break up building facades.
 - b. Building Accent Materials. School building accent materials shall include horizontal bands around the building to minimize the appearance of height provide architectural interest.
 - c. Roof Materials. Roofing materials shall include a standing seam metal roofed canopy along the front of the High School building to break up building facades.
 - c d A written summary of the applicant's compliance with Condition 9 shall be submitted prior to or in conjunction with first site plan approval for the Special Exception uses and minimize the appearance of height.

Comment [tms4]: When will architectural be provided that will demonstrate that there is no continuous plan? At what point will compliance be determined? Occupancy is too late.

Comment [tms5]: When will this be checked for compliance and how will it be enforced?

Comment [tms6]: When will compliance be demonstrated?

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Comment [tms7]: Compliance demonstrated when?

10. **Stormwater Management.** The Applicant shall provide a minimum of two (2) Low-Impact Development (LID) design measures in the general locations shown as "Potential SWM/BMP Facility" on the Special Exception Plat. In designing such facilities, the Applicant shall consult with the Department of Building and Development to identify, and shall implement LID measure(s) deemed likely to be effective based on the physical characteristics of the Property. Where ponds are proposed, such ponds shall be detention ponds (wet ponds) or enhanced extended-detention basins or similar facilities, and shall be maintained in accordance with the County's Stormwater Management Ordinance, currently set forth in Chapter 1096 of the Codified Ordinances of Loudoun County. The LID measure(s) will be designed and implemented in accordance with applicable provisions of the FSM.
11. **Bus Parking Area - Oil / Water Separator.** Stormwater runoff from school bus parking areas shall be routed to an oil and water separator for treatment prior release onto the Property. The Oil / Water shall be installed and operational prior to, or in conjunction with the issuance first occupancy permit for the Property
12. **Buffering and Screening.** Planting Enhancements shall be provided adjacent to the High School Bus Loop and Entrance Area and within side and rear yard buffers as depicted on Sheet 3 of the Special Exception Plat. A landscaped berm shall be provided along the High School Parking Area as depicted on Sheet 3 of the Special Exception Plat.
13. **Reforestation Area.** Within the area identified on Sheet 3 of the Special Exception Plat as "Reforestation Area", the Applicant shall install supplemental plantings consistent with the "Reforestation Parameters" described on Sheet 3 prior to first Occupancy Permit. The size, amount, and species of the supplemental plantings shall be determined in consultation with the County Urban Forester. The Applicant shall utilize native species for new plant material, as determined in consultation with the County Urban Forester, to the maximum extent possible. All required supplemental plantings and existing trees shall be depicted on site plans for the Property.
14. **Tree Save Area.** Within the area identified on Sheet 3 of the Special Exception Plat as "Tree Save Area," the Applicant shall preserve healthy trees consistent with the "Tree Save Narrative" described on Sheet 3.
15. **Fire-RescueEmergency Thru Access.** The segment of Goshen Road crossing the Property shall remain passable and available to ~~fire and rescue~~ emergency vehicles until such time as Road A, Road B and Northstar Boulevard as described in Condition 6 above are open to traffic. The Applicant shall work with the County Office of Fire, Rescue and Emergency Management and Sheriff's office to determine the appropriate barricade that will allow ready access to ~~Fire and Rescue~~ emergency vehicles.

Comment [tms8]: Sheet 3 says shrubs, but how many are to be provided? Does the entire loop area only need 8 additional trees?

Comment [tms9]: Provide the height of the berm.

Comment [tms10]: How will 80% of the initial plantings be determined as "established" and what is the date of the annual inspection with the County's Forester?

COMMENTS GENERATED BY ZONING 9/1/10
PROFFER STATEMENT

ZMAP 2010-0001
HS-7 Dulles South High School and Elementary School
Goshen Road Assemblage

August ____, 2010

The Loudoun County School Board, Owner of the property designated as Loudoun County Tax Map 100, Parcel 36A (MCPI #248-48-6530), (the "Applicant"), on behalf of itself and its successors in interest, hereby voluntarily proffers that in the event that the above-referenced parcel (the "Property") is rezoned by the Loudoun County Board of Supervisors (herein after referred to as "the County") to the Transitional-Residential-1 (Upper Broad Run/Upper Foley) (TR1-UBF) zoning district administered under the Revised 1993 Zoning Ordinance, as substantially set forth in the Concept Plan described below dated March 8, 2010, revised through August 18, 2010, and further described in the application ZMAP 2010-0001, the development of the Property shall be in substantial conformance with the following conditions, pursuant to Section 15.2-2303 of the Code of Virginia (1950), as amended. These proffer conditions are the only conditions offered on this rezoning, and any prior proffer conditions applicable to the property are hereby declared void and of no effect with approval of ZMAP 2010-0001.

1. CONCEPT PLAN

The development of the Property shall be in substantial conformance with Sheet 3 of 7 of the plan set entitled "HS-7 Dulles South High School and Elementary School, Goshen Road Assemblage SPEX 2010-0003 and ZMAP 2010-0001" dated March 8, 2010, revised through August 18, 2010, prepared by Bowman Consulting Group, Ltd., and incorporated herein by reference as Exhibit A. ~~The said Sheet 3 is more specifically identified as Sheet 3 of 7 "Special Exception/Rezoning Plat".~~ Sheet 3 of 7 shall control the general development, layout and configuration of the Property, provided that all requirements and use limitations of the TR1-UBF

Comment [tms1]: Separate and retitle the ZMAP CDP from the SPEX plat to avoid the need for a ZCPA should SPEX changes be allowed.

zoning district of the Revised 1993 Zoning Ordinance must be complied with and will take precedence over the Concept Plan.

2. SCHOOL

A high school and elementary school, and associated parking, shall be provided in the general location shown on sheet 3. The cumulative square footage of the high school and elementary school building, exclusive of permitted accessory and recreational uses, shall not exceed 397,000 square feet, provided that the maximum allowable floor area ratio of .05 shall not be exceeded.

The undersigned hereby warrants that all of the owners of any legal interest of the Property have signed the foregoing proffer statement, that no signature from any additional party is necessary for these Proffers to be binding and enforceable in accordance with their terms, that he or she has full authority to bind the Property to these conditions, and the foregoing proffers are entered into voluntarily.

LOUDOUN COUNTY SCHOOL BOARD

By: _____
John Stevens, Chairman

Date: _____

County of Loudoun, Commonwealth of Virginia

I, the undersigned notary public, in and for the state and county aforesaid, do hereby certify that John Stevens, whose name is signed to the foregoing instrument, has acknowledged the same before me.

Subscribed and sworn to before me this ____ day of _____, 2010.

My Commission Expires:

Notary Public

Notary Registration #: _____

S:\Planning\Goshen Road Assemblage HS-7\PROFFER STATEMENT.docx

| 11/16/2010 10:07 AM 11/16/2010 4:00 PM

schneider, marchant

From: schneider, marchant
Sent: Friday, September 03, 2010 1:25 PM
To: Davis, Danny
Cc: schneider, marchant
Subject: Double Adveristing Request - HS-7, ZMAP 10-01, SPEX 10-04
Attachments: APP BOSPH RQST 08-16-10.pdf

Hi, Danny.

As discussed, LCPS has requested their SPEX and ZMAP applications be scheduled for the October 12 BOS public hearing (request attached). The applications are to be heard by the Planning Commission on September 15, 2010.

Staff has recommended approval of the applications (with conditions and requisite proffer statement).

Both Commissioner Kierce and Chairman Klancher have verbally agreed to the request.

Could you please forward this request to Supervisor Miller and Chairman York?

Thank you!

Marchant

Marchant Schneider
Senior Planner, Land Use Review
Loudoun County Department of Planning
P.O. Box 7000, MSC #62
Leesburg, Virginia 20177-7000
(o) 703.777.0246
(f) 703.777.0441
marchant.schneider@loudoun.gov

schneider, marchant

From: schneider, marchant
Sent: Tuesday, August 24, 2010 4:23 PM
To: Seigfried, Marilee
Cc: Stein, Theresa; Kelly, Larr; schneider, marchant
Subject: Proffer / SPEX Condition Review - HS-7, Future Elementary School (ZMAP 10-01, SPEX 10-03)
Attachments: DRAFT PROFFER STATEMENT 08-24-10.docx; CONDITIONS-DRAFT 08-24-10.docx; SPEX PLAT 08-18-10.pdf; REFERRAL COVER 08-24-10.docx

Hi, Marilee:

I just dropped off three packets for review by the zoning proffer team. It includes a cover memo, draft proffer statement, Draft SPEX Conditions of Approval, and Zoning / SPEX Plat for the above applications. Electronic copies of all the documents are attached to this email.

If at all possible, it would be helpful to have zoning comments by September 7 so that I can update the Planning Commission on September 8. The applications are scheduled for PC public hearing on Sept. 15 and BOS public hearing on Oct. 12.

Thank you for your assistance! Please let me know if you have any questions.

Marchant

Marchant Schneider
Senior Planner, Land Use Review
Loudoun County Department of Planning
P.O. Box 7000, MSC #62
Leesburg, Virginia 20177-7000
(o) 703.777.0246
(f) 703.777.0441
marchant.schneider@loudoun.gov

schneider, marchant

From: schneider, marchant
Sent: Tuesday, August 24, 2010 5:03 PM
To: Bassett, John (NOVA), P.E.
Cc: schneider, marchant
Subject: Proffer / SPEX Condition Review - HS-7, Future Elementary School (ZMAP 10-01, SPEX 10-03)
Attachments: APP RESPONSE2 07-22-10.pdf; REFERRAL COVER 08-25-10.pdf; VDOT REF2 07-08-10.pdf; CONDITIONS-DRAFT 08-24-10.pdf; DRAFT PROFFER STATEMENT 08-24-10.pdf; SPEX PLAT 08-18-10.pdf

Hi, John.

I left you a voicemail message earlier today about the attached documents. Hard copies are on their way to you as well.

Please review the attached documents against your last response to the above-mentioned applications (also attached). They include the requested response to first submission comments as well as draft proffer and SPEX Conditions of Approval language.

If at all possible, it would be helpful to have your comments by September 7 so that I can update the Planning Commission on September 8. The applications are scheduled for PC public hearing on Sept. 15 and BOS public hearing on Oct. 12.

Thank you for your assistance. Please let me know if you have any questions.

Marchant Schneider
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Loudoun County Department of Planning
P.O. Box 7000, MSC #62
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(o) 703.777.0246
(f) 703.777.0441
marchant.schneider@loudoun.gov

schneider, marchant

From: schneider, marchant
Sent: Friday, July 30, 2010 10:04 AM
To: Yudd, Charles
Cc: Neri, Linda; Armstrong, Van; Pastor, Julie
Subject: RE: HS-7 Chronology
Attachments: HS-7 ZMAP-SPEX CHRONOLOGY 07-30-10.pdf

Charles:

I've attached the requested chronology. Please let me know if further explanation / information is necessary.

Marchant

From: Yudd, Charles
Sent: Wednesday, July 28, 2010 1:07 PM
To: schneider, marchant
Subject: HS-7

Hi: When you get a chance I need a complete summary of the chronology of the HS-7 SPEX application, when it came in, when referrals were completed etc., I need to identify when we could have gone forward to the PC had all referrals had been done on time.

We will definitely be following up on the fact that this application was to be expedited and the how and why of late referrals will need to be addressed with the agency reps.

Thanks,

CY

CHRONOLOGY (as of July 30, 2010)

ZMAP 2010-0001 / SPEX 2010-0003

HS -7 DULLES SOUTH AND ELEMENTARY SCHOOL, GOSHEN ROAD ASSEMBLAGE

- Applications accepted on March 19, 2010, and processed on SPEX timeline (30-day review). Cover memo denotes official action of BOS to expedite MS-5 / HS-7 applications. Comment due date April 18, 2010.
- First Referral Comments (due April 18, 2010):

REFERRAL AGENCY	RECEIVED	DAYS PAST DUE
General Services	03-22-10	0
Health Department, Environmental	03-23-10	0
Building and Development, Zoning	03-29-10	0
Planning, CIO	04-19-10	+1
Building and Development, ERT	04-20-10	+2
Planning, Comprehensive	04-20-10	+2
Fire, Rescue & Emergency Services	04-23-10	+5
Parks, Recreation, and Community Services	04-26-10	+8
Loudoun Water	04-27-10	+9
VDOT*	05-13-10	+25
Office of Transportation Services**		

* VDOT combined land use referral with 527 comments (processed on 45 day timeline)

** OTS comments not received prior to applicant second submission (June 8)

- Week of June 1, OTS comments not complete (45 days past due). Project Manager / LCPS discuss option of LCPS submitting second submission revisions absent OTS comments. OTS agrees to combine draft first referral comments with second referral comments. LCPS forwards its second submission on June 8 and it is processed on SPEX timeline (30-day review). Comment due date July 9, 2010.
- Week of June 14, Project Manager / LCPS discuss July Planning Commission public hearing timeline (public hearing advertisements due June 24, draft PC staff report due June 28). Under the assumption that OTS comments would not be received prior to distribution of the July PC public hearing staff report (July 7), it was believed that the PC would likely defer to a September worksession in order to await the conclusion of the transportation referral discussion. It was unknown whether the applications would then be able to be scheduled for the October BOS public hearing. An alternate approach was to defer to the September PC public hearing, conclude OTS discussion in August, then double advertise the applications for the October BOS public hearing. LCPS decides defer to the September PC public in order to allow additional time to review OTS comments and resolve any outstanding transportation issues prior to the PC public hearing.

- *Second Referral Comments (due July 9, 2010)*

REFERRAL AGENCY	RECEIVED	DAYS PAST DUE
Building and Development, Zoning	06-23-10	0
Building and Development, ERT	07-08-10	0
Parks, Recreation, and Community Services	07-08-10	0
VDOT	07-08-10	0
Office Of Transportation Services	07-13-10	+4
Planning, Comprehensive	07-13-10	+4
Loudoun Water	07-14-10	+5

- *LCPS forwards third submission on July 22. Comment due date for OTS August 10, 2010.*
- *Applications are scheduled for September Planning Commission public hearing and October BOS public hearing.*

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@loudoun.k12.va.us]
Sent: Tuesday, April 06, 2010 12:06 PM
To: schneider, marchant; Stein, Theresa
Subject: RE: HS-7/ES Zoning Referral Question

Works for me! Thanks. When we resubmit to the first round of comments I will provide a revised SoJ that includes same. S

>>> "Stein, Theresa" <Theresa.Stein@loudoun.gov> 4/6/2010 11:54 AM >>>

I think the way to handle the ES is to put a statement in the SOJ that this issue of the ES validity has been discussed and that the issuance of the HS building permit will satisfy the period of validity for both schools. I would also mention that when the HS is graded, etc. the ES site will also be prepared. I'll put a statement in my response that staff concurs, or something like that. I'm looking for a way to document it so nothing comes up in the future.

Theresa

From: Sara Howard-O'Brien [<mailto:Sara.HowardOBrien@loudoun.k12.va.us>]
Sent: Tuesday, April 06, 2010 9:48 AM
To: schneider, marchant; Stein, Theresa
Subject: RE: HS-7/ES Zoning Referral Question

I would hate that too!! I appreciate your looking out for us. I'll do whatever is needed. I MUST make sure the SPEX remains valid. In these economic times there is just no way to predict when the ES will be constructed. Thanks for checking on this. Sara

>>> "Stein, Theresa" <Theresa.Stein@loudoun.gov> 4/6/2010 9:17 AM >>>

My concern is that the ES and the HS aren't reflected as being built in "phases" on the plat. Typically it's true that implementation of one part of a proposal "vests" the rest of the development, but since these are shown as essentially 2 separate uses, it worries me that they would be viewed as having their own separate period of validity. I would hate that years from now, someone would put the kabash on the ES construction.

I'm doing some research, and will get back with you.

Theresa

From: Sara Howard-O'Brien [mailto:Sara.HowardOBrien@loudoun.k12.va.us]
Sent: Tuesday, April 06, 2010 9:04 AM
To: schneider, marchant
Cc: Stein, Theresa
Subject: HS-7/ES Zoning Referral Question

Good Morning. first, thanks for the quick turn around on the Zoning referral. I have a question regarding the SPEX period of validity. Both the HS and ES are under the same SPEX. Wouldn't the construction of the HS (and occupancy) maintain the validity of the SPEX? Many SPEX's uses are build in phases. Do these get extended periods of time up front?

I've not encountered this before so I'm curious. We can certainly ask for an extension if that is how this works. In this particular case, we will be grading the entire site (in order to balance the earth work), extending the utilities and building the road infrastructure to serve both schools but as noted in the SoJ, the ES will be built later. When is not known at this juncture. The timing depends on funding, need, and identification in the CIP.

I'll do whatever is required and I appreciate the "heads up". I don't want to leave this as a question for the future nor run the risk of "missing" the timeframe for an extension in the future. We will also take care of the other plat clarifications. Many thanks for your time and attention. Have a great day. Sara

Sara Howard-O'Brien
Land Management Supervisor
Loudoun County Public Schools
Planning and Legislative Services
21000 Education Court
Ashburn, Virginia 20148
Phone: 571-252-1156
Fax: 571-252-1101
E-mail: Sara.howardobrien@LOUDOUN.K12.VA.US